

# AFT-WV LEGISLATIVE UPDATE

FIGHTING FOR PUBLIC EDUCATION



FROM STATEHOUSE TO SCHOOLHOUSE

April 15, 2025

## 2025 Session: Legislature Fails to Address Critical Issue of PEIA; Special Session on PEIA, Education Mentioned as Possibility

The 2025 Legislative Session has concluded, and while we were glad to see the legislature address student discipline, they adjourned without addressing two of the most pressing issues facing our state and education employees—PEIA and salaries. However, the Governor did publicly state that a special session to address PEIA is a possibility. ([Click here to read the WV Metro News article.](#))

“While we are pleased that the legislature passed a measure to address student discipline, which was one of our union’s top three priority issues, it’s unfortunate that the other two priorities— PEIA and pay— were not addressed in the regular session. An issue as important as PEIA should have been addressed starting on day one of the 60 day session. Yet the legislature spent precious time passing bills to permit riding motorcycles while standing up?! Where is their commitment to the issues really facing working West Virginians?” remarked AFT-WV President Kristie Skidmore.

“The talk of a special session is encouraging that the issue will finally be addressed. It’s imperative that the Governor put forth a solution to make PEIA stable and affordable for the hard-working education and public employees who serve our students and state. Abolishing or privatizing PEIA is not the answer. It would be unaffordable for most employees,” continued Skidmore.

## Student Discipline Bill Passes; Mental Health Companion Bill dies in House Finance

Passed: Comm. Sub. for [SB 199](#) outlines specific actions taken for grades K-6 when a student exhibits violent, threatening, or disruptive behavior: immediate removal of the student, parental notification, potential suspension, evaluation and a possible alternative learning environment. First, the student would be subject to a behavior plan. If adequate progress is being made after two weeks then that plan would continue. If the student is not making progress, then the behavioral plan could be changed and followed for another two weeks. If another two weeks pass without adequate progress, then the student would be placed in a behavioral intervention program or with a licensed behavioral health agency where the county has access. If the county has no behavioral intervention program, the student would be immediately removed from the classroom, parents would be notified to pick up the child, and the student would be suspended for one to three days while alternative accommodations are made. The student would not return to school until a risk assessment is done. After the risk assessment, the student could return to school provisionally for five to 10 days. If another incident occurs, the student would be placed in an alternative learning environment for the rest of the semester or school year. That alternative learning environment could, in some cases, be virtual school.

Died: [HB 3507](#) would have established a mental health pilot program, which required the counties participating (limited to 10) to have at least one qualified mental health professional (QMHP) in each public school in that county. The bill contained provisions to allow mental health services for students to be billed to Medicaid, lessening the fiscal impact of the bill. AFT-WV collaborated with a mental health provider who implemented this type of program with great success in Virginia, and felt the bill was an important part of addressing the behavioral issues in our schools. . The bill advanced from the House Education Committee but was never considered by the House Finance Committee. At the end of the day, the bill just ran out of time to get across the finish line, so we are hopefully that we will be able to get this important piece of legislation passed next year.



## Vaccine Exemption Attempts Fail Despite Numerous Efforts to Pass

In a huge win for public health, [SB 460](#) was defeated 56-42 on the House floor around two weeks ago. The bill was initially created to provide exemptions to mandatory vaccination requirements for our schools to accommodate religious conviction or moral reasons. After extensive lobbying efforts by AFT-WV, WVEA, the WV Chamber of Commerce and the Council of Churches / Catholic Diocese and tremendous member outreach to legislators by teachers, service personnel, members of the medical community and others, the bill was defeated on the floor. However, in the last week of the session, Sen. Chapman (R-Ohio Co.) amended an unrelated bill with SB 460 provisions in a last-ditch effort to pass exemptions. The attempt thankfully failed.

## Other Notable Bills Passed

[SB 154](#) prohibits public schools from requiring students to participate in sexual orientation or gender identity instruction. This bill prohibits from teaching gender identity, giving false information to parents about a child transitioning and mandates reporting students if they come to teacher to talk about their gender identity. The bill allows parents to bring civil actions against the school. AFT-WV had concerns about the bill as it relates to employee discipline and the grievance procedure and believed parts of this bill could diminish the grievance rights of educators. While the union was successful in getting the grievance concerns amended out of the bill, we still believe this is a bad bill.

[SB 158](#) modifies eligibility requirements for serving as member of State Board of Education, specifying what political activity is permitted and prohibited.

[SB 275](#) removes the requirement for school cooks or custodians to have a high school diploma or equivalent, if they are over 21 years of age. The bill is intended to help alleviate shortages in these classifications.

Eng. [SB 280](#) calls for displaying official US motto in public schools when the materials are donated to the school.

[SB 282](#) modifies provisions for employment of retired teachers as substitutes in areas of critical need and shortage.

[SB 283](#) expands grade levels of personal finance course requirements needed for graduation.

[SB 474](#) eliminates initiatives related to diversity, equity, and inclusion from all departments, divisions, agencies, boards, public primary and secondary schools, and institutions of higher education.

[SB 531](#) relates to offenses of assault and battery on athletic officials.

[SB 650](#) relates to the employment of interventionists by county school systems.

[SB 914](#) makes changes to the testing and attendance requirements for private, parochial, and church schools.

[HB 2003](#) directs county boards of education to develop a policy regarding cell phones that includes, whether or not the devices are allowed on school property, and if so, the storage protocol for the devices during instructional time.

[Comm. Sub. for HB 2164](#) allows for public and private schools in West Virginia to employ security personnel. Guidelines and certification standards will be created by the Division of Protective Services for these positions. There is no fiscal note on this bill; the bill would be permissive, not a mandate, and up to the individual counties to fund.

[HB 2411](#) provides and changes graduation requirements and duties relating to academic content standards

[HB 2499](#) calls for creating an in-person training course for principals on IDEA in public schools; informing teachers of their state rights and protections related to such, and providing for an Individualized Education Program meeting format.

[HB 2528](#) permits students in Christian schools at the elementary and middle school level to participate in county level sport tournaments

[HB 2548](#) clarifies the duties of the state superintendent.

[HB 2755](#) gives the Legislature authority over the policies of the state Department of Education. A constitutional amendment on this exact issue, viewed as a power grab of the State Board of Education's constitutional authority, was rejected by voters a few years back. It would not be surprising to see litigation regarding this bill.

[HB 3209](#) provides at least one counselor for every 250 students in public schools and public charter schools in this state.

[HB 3313](#) provides more opportunities for high school students in community colleges.

## Notable Bills That Died

Pay raise bills:

[HB 2476](#) provides a 25% pay increase for teachers. The bill was never considered by a committee.

[HB 2519](#) provides a \$900 monthly increase (25%) to state school service personnel. The bill was never considered by a committee.

[SB 506](#) provides for market pay enhancement for teacher salaries in certain circumstances. This bill was essentially permitting locality pay. The bill moved from committee but died in Senate Rules.

[SB 646](#) increases the number of non-traditional instructional days available to use from 5 to 10. The bill also states that scheduled out-of-calendar days may not be rescheduled as instructional days in the event school is canceled for any reason.

[SB 37](#) allows Teachers Retirement System members (after July 1, 2015) to exchange unused leave for monetary compensation. Employees would be able to sell up to 10 days accrued personal leave back to the county board for 80% of the pay rate. This is a bill that did not pass last year either, but AFT-WV supported.

[HB 2635](#) makes classroom sizes equal so that aides can be best utilized and one-on-one time with teachers and students can be maximized without losing the use of an aide. The bill would not allow the split to be inequitable, and specifies that grade level 1-3 classes of 12 or more students would get a classroom aide. This was a positive bill, and AFT-WV supported it.

[SB 547](#) creates the Charter Schools Startup Fund for the purpose of providing financial support to charter school applicants and charter schools that may not otherwise have the resources for start-up costs. AFT-WV opposed the further defunding of the public school system, particularly at a time when many of our local schools are in need of facility improvements.

[SB 548](#) creates the Safety and Violence Education for Students Act. The bill provides suicide and violence training and materials to help identify self harm, social isolation, violence or red flags for school shootings. This would help peers identify red flags. Some senators had some worries that there would not be enough time in the day to compete this requirement and it is an added requirement, but it was stated this would not take any time away from any core instruction.

[Comm. Sub. for HB 2143](#) requires elementary school teachers to be certified in the science of reading, starting by the 27-28 school year. The bill specifies the endorsement to be required for K-5 public and public charter schools.

[HB 2087](#) opens up access to online curriculum, and allows the general public to inspect additional instructional material adopted by the county board, including books in the classroom. The bill expands access beyond parent/guardians, which is existing law. AFT-WV opposed this bill as it created additional administrative burdens on educators' time and also opens the door to outside groups without children in the local schools to attack and disrupt school systems to advance a political agenda.

[SB 146](#) provides for substantial deference to state school superintendent's interpretations of school laws. AFT-WV viewed the bill as an attack on the grievance process for school employees and their ability to resolve employee-employer disputes in an impartial venue and opposed this bill.

[HB 3387](#) would permit the creation of a regional school district pilot program. School systems in the pilot would have to be in financial distress, neighbor each other and, be under control of the state. AFT-WV opposed this bill as it usurps the local control of county school systems and their elected boards of education.

[HB 2187](#) permits teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer. AFT-WV opposed this bill and maintains that the role of armed school protection officer is best left in the hands of trained law enforcement.

[SB 434](#) promulgates rules for implementing the use of wearable panic alarms by school employees for the purpose initiating campus-wide lockdowns and of notifying law enforcement during emergencies. AFT-WV supported the bill.

[Com. Sub. for HB 3452](#) transfers administration of Advanced Career Education (ACE) classes and programs from county boards of education to community and technical colleges.